

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Z.A., an Infant, by and through his Parents and Natural
Guardians, CARMIT ARCHIBALD and GEORGES
ARCHIBALD, and CARMIT ARCHIBALD,
Individually,

Case No.: 1:24-cv-03742-VSB

Plaintiff(s),

**REQUEST FOR CLERK'S
CERTIFICATE OF DEFAULT**

-against-

HYATT CORPORATION,

Defendant(s).

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TO: CLERK OF COURT
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Pursuant to Fed. R. Civ. P. 55(a) and Local Rule 55.1, Plaintiffs herein request a Clerk's certificate of entry of default against defendant, HYATT CORPORATION. Within in an accompanying affirmation, I affirm that the party against whom the judgment is sought:

- (1) is not an infant or incompetent person;
- (2) is not in the military service;
- (3) Defendant Hyatt Corporation was properly served pursuant to Fed. R. Civ. P. 4, and N.Y. Bus. Corp. Law § 306, on April 15, 2024, with proof of service filed in the New York State Supreme Court, County of New York, on April 17, 2024, and proof of service attached as an exhibit to the accompanying affirmation of Plaintiffs' attorney;
- (4) Defendant Hyatt Corporation filed its Notice of Removal to the United States District Court for the Southern District of New York on the basis on diversity of jurisdiction on May 15, 2024. *See* ECF No. 1.

(5) Defendant filed proof of service of Plaintiffs' Summons and Verified Complaint as an exhibit to its Notice of Removal. *See* ECF No. 1, 1-1 at 3.

(6) Counsel for the Plaintiff filed a notice of appearance in this court on May 17, 2024.

See ECF No. 4.

(7) Counsel for the Defendant filed a notice of appearance in this court on May 20, 2024.

See ECF No. 5.

(8) Defendant has defaulted in the above-captioned action by failing to answer, move, or otherwise defend the action within the time required by the rules, and said time has not been extended.

WHEREFORE, Plaintiffs respectfully request that the default of defendant Hyatt Corporation be noted, and a Certificate of Default issued.

Dated: New York, NY
July 11, 2024

Respectfully submitted,

By: /s/ Evan M. Goldberg
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